

IC 14-11-4

Chapter 4. Procedures Governing Certain Licenses

IC 14-11-4-1

Applicability of chapter

Sec. 1. This chapter applies to applications for licenses under the following:

- (1) IC 14-22-26-3(2) (wild animals).
- (2) IC 14-26-2 (lake preservation).
- (3) IC 14-26-5 (dams).
- (4) IC 14-28-1 (flood control).
- (5) IC 14-29-3 (removal of substances from streams).
- (6) IC 14-29-4 (construction of channels).

As added by P.L.1-1995, SEC.4.

IC 14-11-4-2

"Owner" defined

Sec. 2. As used in this chapter, "owner" means the person:

- (1) listed on the tax assessment rolls as being responsible for the payment of real property taxes imposed on the property; and
- (2) in whose name title to real property is shown in the records of the recorder of the county in which the real property is located.

As added by P.L.1-1995, SEC.4.

IC 14-11-4-3

"License" defined

Sec. 3. As used in this chapter, "license" means a permit, a license, a concession, or other authorization that may be issued to a person by:

- (1) the director;
- (2) the department; or
- (3) the commission;

under Indiana law.

As added by P.L.1-1995, SEC.4.

IC 14-11-4-4

Issuance of license 30 days after notice of application given

Sec. 4. The director or the department may not issue a license until thirty (30) days after the notice required by this chapter has been given. Notice may be given at any time after an application for a license is filed with the department. The department may require by rule that notice under section 5 of this chapter be provided by the license applicant.

As added by P.L.1-1995, SEC.4.

IC 14-11-4-5

Notice of application for license

Sec. 5. (a) If a license application affects real property, notice of the application is required as follows:

- (1) The applicant must notify at least one (1) of the owners of each parcel of real property reasonably known to be adjacent to the affected real property.
- (2) The department shall notify the persons who have requested notification of a license application that:
 - (A) affects the specific real property to which the application relates; or
 - (B) is of the same type as the application.
- (b) The commission may adopt rules under IC 4-22-2 to require the following:
 - (1) That additional persons be notified of an application for a license.
 - (2) That additional forms of notice be given.

As added by P.L.1-1995, SEC.4.

IC 14-11-4-6

Requests for notice

Sec. 6. If notice is not required by section 5 of this chapter, the department shall notify the persons who have requested notice of a license application that is of the same type as the application.

As added by P.L.1-1995, SEC.4.

IC 14-11-4-7

Manner and contents of notice

Sec. 7. Notice under this chapter shall be given in the same manner as under IC 4-21.5-3-1, but is not the notice required under IC 4-21.5. Notice must include the following:

- (1) Reference to the license application.
- (2) An explanation of options available to the person served.

As added by P.L.1-1995, SEC.4.

IC 14-11-4-8

Public hearings

Sec. 8. (a) A public hearing shall be held on the question of the issuance of an original or a renewal license upon any of the following:

- (1) The request of the applicant.
- (2) The filing of a petition requesting a public hearing that is signed by twenty-five (25) individuals who are at least eighteen (18) years of age and who:
 - (A) reside in the county where the licensed activity would take place; or
 - (B) own real property within one (1) mile of the site of the proposed or existing licensed activity.
- (3) The motion of the director.

(b) The public hearing authorized by this section does not constitute an agency action under IC 4-21.5.

(c) If a petition under subsection (a)(2) requests that the public hearing be conducted at a location within a county affected by a proposed license, the department shall conduct the public hearing at

that location.

As added by P.L.1-1995, SEC.4.

IC 14-11-4-9

Adoption of rules

Sec. 9. The commission shall adopt rules under IC 4-22-2 to implement this chapter.

As added by P.L.1-1995, SEC.4.